



IN THE UNITED STATES PATENT OFFICE

Application Serial No. 10/771,383

Our Ref : PT2087000

CUSTOMER NO. 23607

Applicant: Brantford Chemicals Inc.

Agent : IVOR M. HUGHES
Barrister & Solicitor
Patent & Trade Mark Agents
Suite 200
175 Commerce Valley
Drive West
Thornhill, Ontario
Canada L3T 7P6

Title: IMPROVED PROCESS FOR THE
PREPARATION OF AMORPHOUS
ATORVASTATIN CALCIUM

Inventors: Daqing Che
Aaron C. Kinsman
Bhaskar Reddy Guntoori
K.S. Keshava Murthy

Filing Date: February 5, 2004

CORRECTION OF INVENTORSHIP

April 15, 2004

The Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 South Clark Place
Customer Window, Mail Stop Patent Application
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202
U.S.A.

Dear Sir:

Applicant respectfully requests that the inventorship be corrected to include an additional inventor by the name of K.S. Keshava Murthy. The name of K.S. Keshava Murthy was inadvertently omitted at the time of filing and this error arose without any deceptive intention on the part of K.S. Keshava Murthy who through error was not named as an inventor.

Applicant requests that the inventors be listed in the following priority on all documentation in the instant invention:

04/19/2004 GWORDOF1 00000030 10771383

01 FC:1051

130.00 0P

Inventors: Daqing Che
Aaron C. Kinsman
Bhaskar Reddy Guntoori
K.S. Keshava Murthy

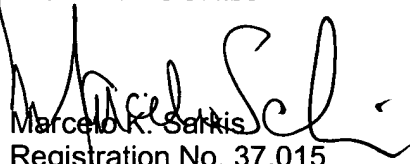
Pursuant to 37 CFR §1.48(a), Applicant encloses the following:

- (1) Statement from K.S. Keshava Murthy that the error in inventorship occurred without deceptive intention on his part;
- (2) Declaration for Utility or Design (37 CFR 1.63) signed by all inventors;
- (3) Written Consent of the Assignee, Brantford Chemicals Inc.;
- (4) Assignment of K.S. Keshava Murthy;
- (5) Recordation Form Cover Sheet, Form PTO-1595;
- (6) Application Data Sheet;
- (7) Power of Attorney of K.S. Keshava Murthy;
- (8) Check in the sum of \$170.00 US in full payment of the filing fee to submit the Declaration for Utility or Design (\$130.00 US) and the Assignment (\$40.00 US). If there is any deficiency or surplusage of the processing fee enclosed, please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicant's Agent;
- (9) Acknowledgement of Receipt card.

Should any questions arise, the Examiner is respectfully requested to contact Marcelo K. Sarkis at the office of Applicant's Agents, IVOR M. HUGHES, at area code (905) 771-6414, collect at the Examiner's convenience.

Respectfully submitted,

IVOR M. HUGHES


Marcelo K. Sarkis
Registration No. 37,015
Agent for Applicant

MKS*kdk
Enclosures



PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	PT2087000
First Named Inventor	Daqing Che
COMPLETE IF KNOWN	
Application Number	10/771,383
Filing Date	February 5, 2004
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Improved Process For The Preparation Of Amorphous Atorvastatin Calcium

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

02/05/2004

as United States Application Number or PCT International

Application Number 10/771,383 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
2,456,430	Canada	01/28/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

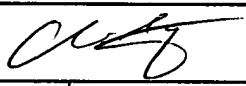
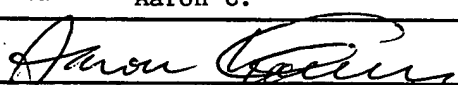
[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 23607 OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Daqing		Family Name or Surname Che	
Inventor's Signature 			Date Apr. 7 2004
Residence: City Brantford	State Ontario	Country Canada	Citizenship Canadian
Mailing Address 31 Thornton Drive			
City Brantford	State Ontario	ZIP N3R 7L6	Country Canada
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Aaron C.		Family Name or Surname Kinsman	
Inventor's Signature 			Date Apr. 7 2004
Residence: City London	State Ontario	Country Canada	Citizenship Canadian
Mailing Address 235 University Crescent			
City London	State Ontario	ZIP N6A 2L7	Country Canada
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			



PTO/SB/02A (08-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION

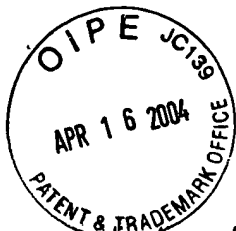
ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Bhaskar Reddy		Guntoori	
Inventor's Signature <i>G. Bhaskar Reddy</i>		Date Apr. 07, 2004	
Residence: City	Brantford	State	Ontario
		Country	Canada
Citizenship Canadian			
Mailing Address 26 Sudds Lane			
Mailing Address			
City	Brantford	State	Ontario
		Zip	N3T 6M5
		Country	Canada
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
K.S. Keshava		Murthy	
Inventor's Signature <i>[Signature]</i>		Date April 7, 2004	
Residence: City	Ancaster	State	Ontario
		Country	Canada
Citizenship Canadian			
Mailing Address 640 Green Ravine Drive			
Mailing Address			
City	Ancaster	State	Ontario
		Zip	L9G 3W2
		Country	Canada
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Citizenship			
Mailing Address			
Mailing Address			
City		State	
		Zip	
		Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT OFFICE

In re application of:

Daqing Che, Aaron C. Kinsman,
Bhaskar Reddy Guntoori and K.S. Keshava Murthy

Serial No. : 10/771,383

Our Ref. : PT2087000

CUSTOMER NO. 23607

Filed : February 5, 2004

For : IMPROVED PROCESS FOR THE PREPARATION
OF AMORPHOUS ATORVASTATIN CALCIUM

STATEMENT

The Honorable Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 South Clark Place
Crystal Plaza 2, Room 1B03
Arlington, Virginia 22202
U.S.A.

Dear Sir:

I, K.S. Keshava Murthy, respectfully request the Examiner to add my name as a co-inventor in the above-identified application as my name was inadvertently omitted at the time of filing. This error in inventorship occurred without deceptive intention on my part.

Respectfully submitted,

K.S. Keshava Murthy
Inventor
640 Green Ravine Drive,
Ancaster, Ontario L9G 3W2
Tel: 519-756-8942

Dated: April 7th, 2004



PTO/SB/81 (09-03)
Approved for use through 11/30/2005. OMB 0651-0035
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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/771,383
Filing Date	February 5, 2004
First Named Inventor	Daqing Che
Title	Improved Process For The ...
Art Unit	
Examiner Name	
Attorney Docket Number	PT2087000

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23607

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City	State	Zip		
Country				
Telephone	Fax			

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name	K.S. Keshava Murthy		
Signature			
Date	April 7, 2004	Telephone	519-756-8942

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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